

REGULAR MEETING

CLARK COUNTY BOARD OF COMMISSIONERS

December 20, 2012

The Board of County Commissioners of Clark County, Indiana met in Regular Session on December 20, 2012 at 4:00 p.m. in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Les Young, Ed Meyer and John Perkins, County Auditor R. Monty Snelling, County Attorney Greg Fifer, Commissioner Secretary Kristi James and Payroll Clerk Mischell Settles.

Pledge of Allegiance was led by Jorge Lanz.

Approval of Minutes

County Auditor R. Monty Snelling presented minutes from the December 6, 2012 meeting. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Amendment to the Agenda

A. Commissioner Young moved item G to item A, item D to item B

Approval of Claims/Payroll

County Auditor presented claims and payroll for December 26, 2012 for approval as submitted by the officeholders and department managers stating all figures had been signed, verified and funds are available. Commissioner Perkins made motion to approve with the addition of a claim to Neace Lukens in the amount of \$83,769.00 and tornado claims that are paid out of Cum Cap. Commissioner Meyer seconded. Motion approved 3-0.

Public Comments Relating to the Agenda

Brian Winslow, Mac Construction appeared before the Board to ask if he is approved as a contractor how would he get a purchase orders issued. Commissioners stated he would get purchase orders Jim Ross, Highway Superintendent or Hyun Lee.

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I. Administrative Agenda

A. David Nachand appeared before to Board to ask for an ordinance approval for the Clark County Plan Commission asking that the property known by its street as 14914 Wilson Switch Road be reclassified from A-1 Agricultural Zone to M-2 Heavy Industrial Zone. Commissioner Meyer made motion to approve Ordinance No. 37-2012 An Ordinance Approving An Amendment To The Clark County Zoning Map On Recommendation By The Clark County Plan Commission. Commissioner Perkins seconded. Motion approved 3-0.

B. Edward Culpepper Cooper, Neace Lukens appeared before the Board to ask the Board to renew his contract for Agent of Record for Workers' Comp and Property & Casualty Insurance. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

C. Martin Padgett, Clark Memorial Hospital appeared before the Board regarding sale of property to INDOT. Commissioner Meyer made motion to approve Resolution No. 20-2012 A Resolution Authorizing Sale Of Real Estate By Clark Memorial Hospital. Commissioner Perkins seconded. Motion approved 3-0.

Mr. Padgett introduced Jerimi Ullom with Hall Render Killian Heath & Lyman. Mr. Ullom appeared before the Board to discuss reclassifying 2009 Governmental Bonds to 501(c) (3) Bonds. Mr. Ullom provided proof of publication for a public hearing. Commissioner Young opened the public hearing. Commissioner Young asked if there were anyone present to speak on behalf or against the reclassification of bonds. Councilman Lenfert asked if this reclassification would allow another healthcare partner to attach themselves to the bond. Councilman Lenfert stated the current bond is for a County owned hospital only and backed by taxpayers. Mr. Ullom stated the bond relates to the federal tax status of the bond. Attorney Fifer stated the proceeds of the bond have been fully disbursed so Norton's would not benefit from proceeds. Mr. Padgett stated it allows them to talk about the business purpose and the type of partnership they might have. He stated anything they do they would have to come back to the Commissioners and Council. Commissioner Meyer made motion to close the public hearing. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer made motion to approved Resolution No. 21-2012 A Resolution Of The Board Of County Commissioners Of Clark County, Indiana, Authorizing The Publication Of Notice Of A Public Hearing, And The Holding OF Such Hearing, To Allow For Comments Concerning The Lease Rental Revenue Bonds Series 2009 And Ratifying The Initial Approval Of The Series 2009 Bonds. Commissioner Perkins seconded. Motion approved 3-0.

D. Mike Harris, Jacobi Toombs Lantz appeared before the Board to ask the Commissioners to amend the Clark County-Floyd County Sanitary Landfill Franchise And License Supplemental Agreement No. 3. Mr. Harris stated because of the language of the agreement an operator can't charge less. Attorney Fifer read from page three paragraph one regarding the change. Attorney Fifer stated the new Board of Commissioners will have to take the agreement to Floyd County. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

E. Jake Elder appeared before the Board on behalf of the Solid Waste Board to ask for approval on Ordinance No. 38-2012 An Ordinance Authorizing The Inclusion Of Fees For Curbside Recycling Provided By The Clark County Solid Waste District As A Special Assessment Line Item On Clark County Tax Bills. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

F. Jill Saegesser, River Hills appeared before the Board to get approval on the grant administration and environmental review services for Star Hill Road Construction claim to River Hills EDD & RPC in the amount of \$33,360.00. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Ms. Saegesser presented a claim to Indiana Department of Transportation for construction services for construction of Star Hill Road in the amount of \$1,000,000.00. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

She also presented a claim voucher to the Indiana Office of Rural Affairs in the amount of \$1,033,360.00 that will pay the above claims for approval. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer presented Jill Saegesser and Jill Oca certificates as ambassadors of Clark County. The Commissioners thanked them for all their hard work and dedication to the County.

G. Commissioner Meyer made motion to approve the 2013 Commissioner meeting dates and enter into record. Commissioner Perkins seconded. Motion approved 3-0.

H. Matters tabled from prior meeting:

1. Attorney Fifer presented the Agreement Between Pictometry International Corp. and Clark County, Indiana and Resolution No. 19-2012 A Joint Resolution Authorizing The Purchase Of Certain Services And Establishing Policies Pertaining Thereto. He stated Jeffersonville Redevelopment Commission and City of Jeffersonville have agreed to pay a portion along with The Town Of Clarksville. Commissioner Meyer made motion to approve Resolution No. 19-2012. Commissioner Perkins seconded. Motion approved 3-0.

2. Attorney Fifer presented Ordinance No. 39-2012 An Ordinance Establishing The Clark County Judgment Funding Loan Fund to Provide For The Deposit Of Certain Funds And Further Authorizing The Expenditure Of Such Funds. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0. Attorney Fifer stated the \$910,000.00 Clerk of Clark County and Board of Aviation Commission grant funds will be deposited into this fund.

I. Sheriff's Business – None

J. Auditor's Report/Comments Auditor Snelling presented the 2013 Payroll Schedule for approval. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Auditor Snelling submitted the monthly Treasurer and Clerk of Courts Reports. Commissioner Meyer made motion to enter into record. Commissioner Perkins seconded. Motion approved 3-0.

K. Attorney's Report/Comments Attorney Fifer entered into record Annual Certification Of Elected Official To The Board Of Clark County Commissioners As The Executive Of Clark County Government Regarding Compliance With The Nepotism Policy Of Clark County Government

Involving Direct Line Supervision for Commissioner Meyer, Commissioner Perkins and Commissioner Young.

Attorney Fifer presented Power of Attorney & Assignment Of Rights To Submit ELTF Material. This allows New Sesco In. to act in place and instead and with the same authority as Principal would have with regard to the following: To submit all necessary documentation on behalf of the Principal to The Indiana Department of Environmental Management (IDEM) to process Excess Liability Trust Fund claim for the aforementioned tanks including but not limited to the application, affidavit, pay requests, invoice summary sheets, application and all of its attachments. Furthermore, this document also grants the right for New Sesco to submit and receive payment on behalf of the Clark County Highway Department from the state. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer presented Ordinance No. 40-2012 An Ordinance Amending Article 6, Section 6-3, Of Ordinance No. 7-1983 (the Clark County Traffic Control Ordinance) In Order To Establish Authority For the Installation And Enforcement Of Stop Signs At Certain Intersections. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer submitted paperwork to declare an emergency from Cum Cap for the IT Department in the aggregate amount of up to \$40,000.00 that was approved at the last meeting. Commissioner Meyer made motion to approve the Declaration That Public Health, Welfare, OR Safety Is In Immediate Danger, Thereby Requiring the Expenditure OF Funds From The Clark County Cumulative Capital Development Fund In An Emergency Situation That Demands Immediate Action. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer submitted documents for Authorization And Certification OF Transfer And Contribution Of Funds To The 2011 Judgment Bond Payment Fund From the Clark County Cumulative Capital Development Fund in the amount of \$57,000.00. Commissioner Meyer made motion to declare an emergency. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer presented Sellersburg Stone and Hanson Aggregates bills from the tornado in the amount of \$91,790.04. Commissioner Meyer

made motion to declare an emergency. Commissioner Perkins seconded. Motion approved 3-0. Commissioner Meyer stated after payment is made the invoices should go to Jill Oca for FEMA reimbursement

Commissioner Meyer made motion to pay \$91,790.04 out of Cum Cap. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer made motion to approve Resolution No. 22-2012 A Resolution Authorizing the Transfer Of Real Property Located At 101 Crestview Court, Charlestown, Indiana, To The City Of Charlestown. Commissioner Perkins seconded. Motion approved 3-0.

Because of year end Commissioner Perkins made motion to allow Commissioner Young to approve extraordinary claims. Commissioner Meyer seconded. Motion approved 3-0.

Commissioner Meyer made motion to approve Anna McCartney's contract for the Drainage Board. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer made motion to reappoint Les Wright to the Tri Regional Water District. Commissioner Perkins seconded. Motion approved 3-0.

N. Officeholder/Department Heads Present at Meeting – Councilman Kevin Vissing thanked Commissioner Meyer and Commissioner Young for their service to the County. He stated he hopes the new Commissioners will leave Attorney Fifer and Jim Ross in their positions.

Treasurer David Reinhardt stated 95% of the property taxes have been collected.

Councilman Brian Lenfert was also present.

II. Technical Agenda

A. Hyun Lee presented a Change Order #6 for a guard rail in the amount of \$2,327.00. Commissioner Perkins made motion to approve. Commissioner Meyer seconded. Motion approved 3-0.

B. Hyun Lee presented 2013 Clark County Highway Department Annual Bids for supplies. He stated Item #1 for gas and fuel only has one

bid and he thinks it needs to be rebid. Commissioner Meyer made motion to rebid gas and fuel. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer made motion to accept all bids based on location. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer stated he would take of rebid for gas and fuel. Commissioner Perkins thanked him for all his years of service. Commissioner Meyer agreed.

Jim Ross, Highway Superintendent thanked Commissioner Meyer and Commissioner Young for the opportunity to serve as highway superintendent and turned in his resignation as highway superintendent as of 12/31/12.

Commissioner Perkins complimented Margie Jenkins on her services.

Commissioner Meyer made motion to cancel John Martin contract since the contract is paid in full. Commissioner Perkins seconded. Motion approved 3-0.

Commissioner Meyer submitted into record a letter he read regarding his appreciation and years of service.

Commissioner Perkins complemented Attorney Fifer. Attorney Fifer stated he appreciates the opportunity to serve.

III. Public Comments - None

Commissioner Perkins made motion to adjourn. Commissioner Meyer seconded. Motion approved 3-0.

To the extent the Board held an executive session of any type under (IC-5-14-1.5-6) or otherwise, the Board thereby certified that no subject matter was discussed therein except that posted in the notice for sessions or meeting (IC-5-14-1.5-6).

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA

JACK COFFMAN, PRESIDENT

RICK STEPHENSON,
VICE-PRESIDENT

JOHN PERKINS, MEMBER

SIGNED THIS DAY _____

ATTEST: _____

R. MONTY SNELLING,
CLARK COUNTY AUDITOR